

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8642 of 2025**

Arising Out of PS. Case No.-592 Year-2024 Thana- MUZAFFARPUR TOWN District-  
Muzaffarpur

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1. Anil Sah @ Bhonu Sah Son of Late Badan Sah Village -Atrar @ Atrah, PS-  
Aurai District -Muzaffarpur
  2. Md. Tanvir Sah son of Md. Asalam Sah @ Mohammad Aslam Sah Village  
-Atrar @ Atrah, PS- Aurai District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**  
**ORAL ORDER**

3      08-04-2025                      Heard learned counsel for the petitioners and  
  
learned APP for the State. Perused the case diary called for in  
  
Cr. Misc. No.1246 of 2025.

2. The petitioners seek bail in connection with Town  
P.S. Case No. 592 of 2024 instituted for the offences under  
Sections 303(2), 317(2), 317(5), 111, 338, 336(3), 313,  
61(2) of the B.N.S.

3. As per prosecution case, the accusation against  
the accused persons including the petitioners is of committing  
theft of motorcycle and, thereafter, selling the same to other  
accused persons.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. The petitioners have no concern with the alleged occurrence or with the gang involved in the theft. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner no.1. It is alleged that the police has recovered one motorcycle from the house of the petitioner no.2 which is at about 80 Km far away from the place of occurrence. The petitioners have been implicated in this case on the basis of the confessional statement of the arrested co-accused Pintu Sah and Dhananjay Sah @ Manjay Sah and, save and except the confessional statement of these two co-accused persons, there is nothing against the petitioners. There is no compliance of Section 103 of the B.N.S.S. The petitioners have three criminal antecedents and are languishing in judicial custody since 27.09.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the



petitioners, stating that the offence alleged is serious in nature. The police has recovered motorcycle from the possession of the petitioners at the instance of the co-accused persons. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 303(2), 317(2), 317(5), 111, 338, 336(3), 313, 61(2) of the B.N.S. The petitioners are named in the F.I.R. and have three criminal antecedents and, hence, they do not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Town P.S. Case No. 592 of 2024.

**(Rudra Prakash Mishra, J)**

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